

Message Text

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ACTION L-03

INFO OCT-01 EUR-25 ADP-00 IO-13 CAB-09 CIAE-00 COME-00

DODE-00 EB-11 INR-10 NSAE-00 RSC-01 FAA-00 PA-03

PRS-01 USIA-15 SS-15 NSC-10 OIC-04 DOTE-00 M-03 A-01

SY-10 USSS-00 AID-20 JUSE-00 OMB-01 TRSE-00 SCA-01

RSR-01 /158 W

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TAGS: PINS, PFOR, ETRN

SUBJECT: CIVAIR: ICAO EXTRAORDINARY ASSEMBLY/DIPLOMATIC
CONFERENCE--ROME, AUGUST 28-SEPTEMBER 21, 1973.

REF: STATE 154149 AUGUST 4

1. US AIDE-MEMOIRE DELIVERED AUGUST 9 TO DEREK ARNOULD,
ACTING DIRECTOR, TRANSPORT, COMMUNICATIONS AND ENERGY,
EXTAFF, WHO ADVISED CANADA WAS DEFINITELY ATTENDING THE
EXTRAORDINARY ASSEMBLY/DIPLOMATIC CONFERENCE. HE
EXPRESSED APPRECIATION FOR THE WIDE RANGE OF
CONSULTATIONS THAT HAVE TAKEN PLACE BETWEEN CANADIAN
AND US OFFICIALS. ARNOULD INDICATED COMPOSITION OF
CANADIAN DELEGATION WILL BE AS FOLLOWS:

REPRESENTATIVE- ANDRE BISSONETTE, CANADIAN DEPUTY
HIGH COMMISSIONER AT LONDON

ALTERNATE REPRESENTATIVES- DAVID MILLER, DIRECTOR
LEGAL OPERATIONS DIVISION,
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EXTAFF

WALTER M. MCLEISH- DIRECTOR
GENERAL OF CIVIL
AERONAUTICS, MINISTRY OF
TRANSPORTATION (MOT)

MEMBERS- CLIFFORD KENNEDY, ASST. COUNSEL,
LEGAL DIV., MOT

PAUL B. SHEPPARD, ASST. COUNSEL, BUREAU OF
INTERNATIONAL AND ENVIRONMENTAL AFFAIRS, MOT

PETER WALLIS, ASSISTANT COUNSEL, CANADIAN
TRANSPORT COMMISSION

PETER SOROKAN, ADVISORY AND INTERNATIONAL LAW
SECTION, LEGAL BRANCH, DEPARTMENT OF JUSTICE

JOHN J. GUSS, LEGAL OPERATIONS DIVISION, EXTAFF

DAVID ROSE, COUNSELOR, CANADIAN EMBASSY, ROME

OBSERVER- JOHN KEENAN, CANADIAN AIR LINE PILOTS
ASSOCIATION

2. JOHN GUSS, MEMBER OF DELEGATION, CALLED EMBASSY TO
DISCUSS SUBSTANCE OF ISSUES. HE INDICATED CANADA STRONGLY
DESIRES TO ENHANCE THE STATUS OF ICAO WHICH SHOULD TAKE
A LEADING ROLE IN SOLUTION OF THESE SECURITY PROBLEMS.
GOC, HOWEVER, IS NOT TERRIBLY OPTIMISTIC THE CONFERENCE
WILL BE SUCCESSFUL AND IS GOING TO ROME QUITE WARY
REGARDING ITS POSSIBLE OUTCOME.

3. CANADA IS BASICALLY IN AGREEMENT AS TO THE
DESIREABILITY OF THE US APPROACH. PARAGRAPH 3 OF US
AIDE-MEMOIRE, HE INDICATED, FULLY REFLECTS THE CANADIAN
VIEWPOINT, ESPECIALLY THE IDEA OF A PACKAGE APPROACH
EMBRACING BOTH THE SHORT-TERM AND LONG TERM ASPECTS
OF THE PROBLEMS. HOWEVER, CANADA WOULD BE SATISFIED WITH
THE NORDIC PROPOSAL AS IT STANDS. NEVERTHELESS, CANADA
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WILL WORK WITH THE US AND OTHER COUNTRIES TO IMPROVE
THAT PROPOSAL, BUT IF THIS EFFORT FAILS, CANADA IS
PREPARED TO ACCEPT THE NORDIC APPROACH AS IT IS.
FURTHERMORE, CANADA IS ALSO PREPARED TO ACCEPT THE
PROPOSED AMENDMENTS TO THE CHICAGO CONVENTION ALONE EVEN
IF THE DIPLOMATIC CONFERENCE FAILS TO ADOPT A NEW
CONVENTION.

4. IN THE GOC VIEW, THE USSR PROPOSAL TO IMPOSE
COMULSORY EXTRADITION COULD PROVE TO BE AN
EMBARRASSMENT TO MANY STATES. THE NON-ALIGNED
STATES ARE NOT LIKELY TO SUPPORT IT AS IT REMOVES THE
POSSIBILITY OF POLITICAL ASYLUM. CANADA WILL NOT
DISMISS THE SOVIET PROPOSAL OUT OF HAND, HOWEVER, AND
THE CANADIAN DELEGATION WILL BE PREPARED TO DISCUSS IT.
THE GOC CONSIDERS THIS BASICALLY TO BE THE US APPROACH.

5 CANADA IS ALSO CONSIDERING THE POSSIBILITY OF
PROPOSING OR SUPPORTING CERTAIN RESOLUTIONS BY THE
CONFERENCE BUT HAS NOT YET PREPARED ANY TEXTS:
A. IF THE NORDIC PROPOSAL SHOULD FAIL, THE CONFERENCE
MIGHT RECOMMEND THAT THE ASSEMBLY ADOPT A RESOLUTION
DIRECTING THE ICAO COUNCIL TO DO WHAT THE NORDIC PROPOSAL
WOULD HAVE IT DO UNDER A SEPERATE CONVENTION(I.E.,
INVESTIGATE ITSELF OR APPOINT A COMMITTEE TO INVESTIGATE
UNLAWFUL ACTS).
B. IF THE NORDIC PROPOSAL IS APPRIVED, THE CONFERENCE
SHOULD RECOMMEND THAT THE ASSEMBLY ADOPT A RESOLUTION
DIRECTING THE ICAO COUNCIL TO PERFORM THE DUTIES
ASSIGNED TO IT BY THE INDEPENDENT CONVENTION ESPECIALLY
IF THE SITUATION ARISES IN WHICH ONLY A FEW MEMBERS
OF THE COUNCIL HAVE RATIFIED THE CONVENTION.
C. WHETHER OR NOT AN INDEPENDENT CONVENTION IS ADOPTED,
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